

REMARKS

This is a full and timely response to the non-final Official Action mailed December 27, 2005. Reconsideration of the application is respectfully requested.

Claim Status:

Claims 1, 7, and 14 are hereby amended.

Claims 23-52 which were previously withdrawn are hereby canceled without prejudice along with Claims 6, 19-21, and 58 to expedite allowance of the pending claims.

Consequently, Claims 1-9, 14-22 and 53-58 are pending

Rejections:

Claims 1, 2, 5, 8, 9, 14, 22, and 53 stand rejected as anticipated under 35 U.S.C. § 102(b) by U.S. Patent No. 6,431,694 to Ross. For at least the following reasons, these rejections are respectfully traversed.

Claim 1 recites:

An ink delivery apparatus, comprising a pressure tuned rolling piston having
a distal end having a pressure responsive portion;
a first convolute portion coupled to said pressure responsive portion, said first convolute portion being configured to provide a first level of resistance against a negative pressure in said piston; and
a second convolute portion coupled to said first convolute portion, said second convolute portion being configured to provide further resistance against said negative pressure in said piston, and wherein when in a first condition at least a part of said second convolute portion surrounds at least a part of said first convolute portion.

Ross fails to disclose or otherwise suggest a pressure tuned rolling piston that when in a first condition at least a part of a second convolute portion surrounds at least a part of a first

convolute portion. Therefore, Claim 1 and Claims 2, 5, 8, 9, and 53 which depend there from are patentable over *Ross*.

Claim 14 recites:

An ink delivery assembly, comprising:
at least one pressure tuned rolling piston having
 a distal end having a pressure responsive portion;
 a first convolute portion supporting said pressure responsive portion, wherein said first convolute portion is configured to provide a first level of resistance against a negative pressure in said piston;
 a second convolute portion adjacent said first convolute portion, wherein said second convolute portion is configured to provide further resistance against said negative pressure in said piston, and wherein when in a first condition at least a part of said second convolute portion surrounds at least a part of said first convolute portion;
 a proximal end opposite said distal end; and
 a fitment coupled to said proximal end of said pressure tuned rolling piston.

Ross fails to disclose or otherwise suggest a pressure tuned rolling piston that when in a first condition at least a part of a second convolute portion surrounds at least a part of a first convolute portion. Therefore, Claim 14 and Claim 22 which depends there from are patentable over *Ross*.

Claims 3 and 4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ross* in view of by U.S. Patent No. 5,608,437 to *Iwata et al.* For at least the following reasons, these rejections are respectfully traversed.

Claim 1, from with Claims 3 and 4 depend, recites:

An ink delivery apparatus, comprising a pressure tuned rolling piston having
 a distal end having a pressure responsive portion;
 a first convolute portion coupled to said pressure responsive portion, said first convolute portion being configured to provide a first level of resistance against a negative pressure in said piston; and
 a second convolute portion coupled to said first convolute portion, said second convolute portion being configured to provide further resistance against said negative

pressure in said piston, and wherein when in a first condition at least a part of said second convolute portion surrounds at least a part of said first convolute portion.

Ross and/or *Iwata et al.*, alone or in combination, fail to disclose or otherwise reasonably suggest a pressure tuned rolling piston that when in a first condition at least a part of a second convolute portion surrounds at least a part of a first convolute portion. Therefore, Claims 3 and 4 are patentable over *Ross* in view of *Iwata et al.*

Claims 7, 15-18, and 54-57 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ross* in view of by U.S. Patent No. 3,939,888 to *Scarnato* and in further view of U.S. Patent No. 6,824,139 to *Barinaga et al.* For at least the following reasons, these rejections are respectfully traversed.

Claim 7, from with Claims 54-57 depend, recites:

An ink delivery apparatus, comprising a pressure tuned rolling piston having
a distal end having a pressure responsive portion;
a first convolute portion coupled to said pressure responsive portion; and
a second convolute portion coupled to said first convolute portion;
wherein a perimeter of said second convolute portion is larger than a perimeter
of said first convolute portion and wherein when in a first condition at least a part of
said second convolute portion surrounds at least a part of said first convolute portion.

Ross, *Scarnato* and/or *Iwata et al.*, alone or in combination, fail to disclose or otherwise reasonably suggest a pressure tuned rolling piston that when in a first condition at least a part of a second convolute portion surrounds at least a part of a first convolute portion. Therefore, Claims 7 and 54-57 are patentable over *Ross* in view of *Scarnato* in further view of *Baranaga et al.*

Claim 14, from with Claims 15-18 depend, recites:

An ink delivery assembly, comprising:

at least one pressure tuned rolling piston having

a distal end having a pressure responsive portion;

a first convolute portion supporting said pressure responsive portion,

wherein said first convolute portion is configured to provide a first level of resistance against a negative pressure in said piston;

a second convolute portion adjacent said first convolute portion,

wherein said second convolute portion is configured to provide further resistance against said negative pressure in said piston, and wherein when in a first condition at least a part of said second convolute portion surrounds at least a part of said first convolute portion;

a proximal end opposite said distal end; and

a fitment coupled to said proximal end of said pressure tuned rolling


piston.

Ross, Scarnato and/or Iwata et al., alone or in combination, fail to disclose or otherwise reasonably suggest a pressure tuned rolling piston that when in a first condition at least a part of a second convolute portion surrounds at least a part of a first convolute portion. Therefore, Claims 14 and 15-18 are patentable over *Ross* in view of *Scarnato* in further view of *Baranaga et al.*

For at least the foregoing reasons, the present application is thought to be clearly in condition for allowance. Accordingly, favorable reconsideration of the application in light of these remarks is courteously solicited.

Respectfully submitted,

DATE: 27 March 2006


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